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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

WORLD FUEL SERVICES
(SINGAPORE) PTE LTD,

Plaintiff,,

v.

M/V PORT STAR, IMO No. 9583237, *in*
rem,

Defendant.

Case No.

PLAINTIFF'S MOTION FOR APPOINTMENT
OF SUBSTITUTE CUSTODIAN

IN ADMIRALTY

Plaintiff World Fuel Services (Singapore) Pte Ltd, moves this Court for an Order directing the United States Marshal for this District to transfer custody of the defendant vessel M/V PORT STAR, IMO No. 9583237, her engines, tackle, apparel, furniture, equipment, and all

other furniture and equipment thereunto appertaining and belonging (together, the “Vessel”), to the custody of substitute custodian Cascade Marine Agencies, Ltd. (“CMA”), by and through its authorized representatives, immediately following arrest of the Vessel. As further set forth in the March 15, 2019, Declaration of Eric Kastner submitted with this motion, CMA has agreed to act as substitute custodian of the Vessel in lieu of the Marshal and to serve as substitute custodian of the Vessel while it remains in *custodia legis*, and until further order of the Court.

Upon plaintiff’s deposit of a check for \$5,000.00 with the United States Marshal in connection with issuance of a Warrant for Arrest of the Vessel (which amount the United States Marshal has informed Plaintiff shall be sufficient), the Marshal advises that liability insurance maintained by the Marshal shall be applicable to CMA as substitute custodian for the protection of the Vessel, Plaintiff, and the substitute custodian, as may be applicable.

Plaintiff also requests that the expenses of the United States Marshal and the substitute custodian CMA in safekeeping and maintaining the Vessel while in *custodia legis* be declared administrative expenses herein, to be paid prior to release of the defendant Vessel or distribution of the proceeds of its sale, all in accordance with the rule of *New York Dock Co. v. Steamship Poznan*, 274 U.S. 117 (1927).

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This Motion is based on the Declaration of Eric Kastner dated March 15, 2019, the proposed order submitted herewith, and the record in this case.

DATED: March 21, 2019.

MILLER NASH GRAHAM & DUNN LLP

s/Jess G. Webster

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